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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/753,187	01/02/2001	Kyung-Ha Lee	678-582 (P9637)	1102

28249 7590 07/26/2005

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EXAMINER

TON, DANG T

ART UNIT	PAPER NUMBER
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2666

DATE MAILED: 07/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Supplemental

Office Action Summary

Application No.

09/753,187

Applicant(s)

LEE ET AL.

Examiner

DANG T. TON

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on telephone interview on July 12, 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☒ Interview Summary (PTO-413)
Paper No(s)/Mail Date. 7/20/2005.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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1a. The office action mailed on 06/13/2005 is hereby withdrawn.

1b. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1,3,4,and 8 are rejected under 35 U.S.C. 102(e) as being anticipated by Tiedmann et al. (6,246,673).

For claims 1,3,4, and 8, Tiedmann et al. disclose a method for performing handoff between asynchronous base station and synchronous base station comprising the steps of:

driving the sync demodulation module in the mobile station (see box 110 in figure 1A) for a given idle sleep time to acquire and maintain the timing(see box 716 in figure 7) of the sync base station (see box 130 in figure 1A), during an operation in the cell of the async base station (see box 120 in figure 1A);

during the handoff measuring in the mobile station the strengths of pilot signals from adjacent sync base stations based on the acquired timing, and sending the measurement results to the async base station (see boxes 712 and 714 in figure 7);

receiving in the mobile station from the async base station information

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necessary to establish a traffic channel with the sync channel (see box 710 in figure 7),
and

performing handoff in the mobile station to the sync base station according to
the information necessary to establish the traffic channel (see column 7 lines 59-67 and
column 8 lines 36-48);

updating the timing based on the timing when the maximum value of the measured
strengths of the pilot signals exceeds a threshold value (see column 14 lines 22-35);

the async base station informing the mobile station entering the cell of the
async base station that there exist adjacent sync base stations (see box 714 in figure
7);

driving the sync demodulation module in the mobile station(see box 110 in figure
1A) for a given idle sleep time to acquire and maintain the timing (see box 716 in figure
7) of the sync base station(see box 130 in figure 1A), during an
operation in the cell of the async base station (see box 120 in figure 1A) ;

during the handoff the async base station sending information about the
adjacent sync base stations to the sync base station (see box 714 in figure 7) ;

the mobile station measuring the strengths of pilot signals from the adjacent
sync base stations based on the acquired timing of the sync base station, and sending
the measurement results to the async base station (see box 712 and 718 in figure 7),

the mobile station receiving from the async base station information necessary
to establish a traffic channel with the sync channel (see box 710 in figure 7) ; and

mobile station performing handoff to the sync base station according to the

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information necessary to establish the traffic channel (see column 7 lines 59-67 and column 8 lines 36-48) ;

an async demodulation module for converting a high-frequency signal from an base station to a base band signal and demodulating the base band signal by async despreading (It is inherent that there is modulation/demodulation since it is a RF system);

a sync demodulation module for converting a high-frequency signal from a sync base station to a base band signal and demodulating the base band signal by dispreading (It is inherent that there is modulation/demodulation since it is a RF system);

a switch for switching the received signal between the async and sync demodulation modules (see handoff between asynchronous and synchronous base stations in column 7 lines 62-63); and

a controller for driving the sync demodulation module for a given time interval to acquire the timing of the sync base station during an operation in the cell of an async base station, and maintaining the acquired timing of a sync base station even after switching to the async demodulation module (see boxes 726 and 728 in figure 7).

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein

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were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2 and 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tiedmann et al. in view of Wheatley et al. (6,307,840).

For claims 2, and 5-7, Tiedmann et al. disclose all the subject matter of the claimed invention with the exception of the PN short code timing and long code timing in a communications network. Wheatley et al. from the same or similar fields of endeavor teaches a provision of the PN short code timing and long code timing (see boxes 82 and 76 in figure 8). Thus, it would have been obvious to the person of ordinary skill in the art at the time of the invention to use the PN short code timing and long code timing as taught by Wheatley et al. in the communications network of Tiedmann et al..

The PN short code timing and long code timing as taught by Wheatley et al. can be implemented/ modified into the network of Tiedmann et al. since Tiedmann. do teach the PN code.

The motivation for using the PN short code timing and long code timing as taught by Wheatley et al. into the Tiedmann et al. reference being that it provides synchronizing the base station to acquire the timing of the PN long code and short code timing.

4. Applicant's arguments with respect to claims 1-8 have been considered but are moot in view of the new ground(s) of rejection.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANG T. TON whose telephone number is 571-272-3171. The examiner can normally be reached on MON-WED, 5:30 AM-6:00 PM and Thur 5:30-9:30 A.M.

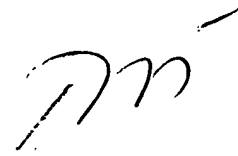
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, RAO SEEMA can be reached on 571-272-3174. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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D. Ton

A handwritten signature in black ink, appearing to be 'D. Ton', with a long horizontal stroke extending to the right.

DANG TON
PRIMARY EXAMINER